

Appl. No. 10/538,263
Amdt. Dated May 11, 2006
Reply to Office Action of January 11, 2006

Attorney Docket No. 81887.0125
Customer No.: 26021

Amendments to the Drawings:

Attached are replacement drawings (Figs. 1-6) which replace the informal drawings (Figs. 1-6). Also enclosed are the annotated drawings (Figs. 1-6).

Attachments: Replacement Sheets (Figs. 1-6)
Annotated Sheets (Figs. 1-6)

REMARKS/ARGUMENTS

Minor changes are made to this specification. New claims 9-14 are added. Claims 1-5 are amended. Claims 1 and 5 are the independent claims. Claims 1-8 are pending in the application. Reexamination and reconsideration of the application, as amended, are respectfully requested.

OBJECTED AND ALLOWABLE CLAIMS, AND NEW CLAIMS

On page 9 of the Office Action, claims 2-3 and 6-7 were objected to for being depending from rejected claims, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In response, new claims 9-14 are added. Independent claim 9 recites the original claim 2 and incorporates its base and intervening claims. New claim 10 recites the original claim 3 and depends from new independent claim 9. Accordingly, new claims 9 and 10 are believed to be in condition of allowance. Claim 11 depends from claims 9 or 10, and is thus also believed to be in condition of allowance.

Independent claim 12 recites the original claim 6 and incorporates its base and intervening claims. New claim 13 recites the original claim 7 and depends from new independent claim 12. Accordingly, new claims 12 and 13 are believe to be in condition of allowance. Claim 14 depends from claims 12 or 13, and is thus also believed to be in condition of allowance.

Accordingly, recordation and allowance of new claims 9-14 are respectfully requested.

Applicant thanks the Examiner for recognizing the allowable subject matter of the original claims 2-3 and 6-7.

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SPECIFICATION AMENDMENT

The Specification of the present application is amended for informalities. Applicant believes no new matter is involved in the amendment. Recordation and consideration of the amendment are respectfully requested.

DRAWING AMENDMENT

The drawings are amended for informalities. In particular, the Japanese labels in the original drawings are amended to English. Applicant believes no new matter is involved in the amendment. Recordation and consideration of the amended drawings are respectfully requested.

CLAIM REJECTION UNDER 35 U.S.C. § 103(a)

Claims 1 and 5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moles (U.S. Patent No. 6,961,583 B2) in view of Kanerva (U.S. Patent No. 6,493,554 B1). Claims 4 and 8 stand rejected under 103(a) as being unpatentable over Mole in view of Kanerva, and further in view of Soderbacka (U.S. Patent Application Pub. No. 2003/0114158 A1). Applicant respectfully traverse the rejection herein.

The present invention is directed to a wireless communication terminal and a handoff determination in connection with a hybrid-type wireless communication terminals which performs communication with switching between two communication systems. Independent claim 1 is recited below:

“A wireless communication terminal, which performs
wireless communication using each of a first communication

method and a second communication method and enables to be in an idle state with both methods, comprising:

a measurement section that measures quality of a signal transmitted from the base station;

a handoff determination section that determines handoff in an idle state with the second communication method based on quality of signals transmitted from a connected base station and another base station; and

a control section that changes a criterion of the determination of the handoff in the idle state with the second communication method in accordance with a state of the first communication method.”

The applied references do not disclose or suggest the above features of the present invention as defined by independent Claim 1. In particular, Moles and Kanerva not disclose or suggest, “a control section that changes a criterion of the determination of the handoff in the idle state with the second communication method in accordance with a state of the first communication method,” as required by that claim.

The applied Moles reference is directed to a multi-mode mobile station that independently determines the radio signal quality of a serving mobile system by evaluating the error rate associated with the received forward-link-channel messages. In response to a determination that the calculated error rate is greater than an acceptable threshold level, the mobile station then attempts to access an alternative service system capable of providing better and more reliable service. (*See, Moles; Abstract*).

The Office Action notes that Moles does not disclose or suggest, "changes a criterion of the determination of the handoff in the idle state with the second communication method in accordance with a state of the first communication method," as required by independent claim 1. (*See, Office Action; Page 6, lines 6-7*). According, the Office Action applies the Kanerva reference as remedies to the deficiencies of Moles.

Kanerva is directed to a single-mode moving mobile communication device. When the mobile device is moving between two base station in the same system, the device may change the handover criterion between the two base stations in the same system, depending on the measured signal level and/or quality of base station. Kanerva is silent regarding switching between two communication methods. (*See, Kanerave; Abstract*).

Applicant respectfully submits that Moles and Kanerva cannot be properly combined to obtain the features of independent claim 1. The present invention and Moles are directed to a multi-mode communication system. In contrast, Kanerva is directed to a single-mode communication system. Applicant thus respectfully submits that Kanerva does not have an analogous structure as required by amended independent claim 1.

Moreover, Kanerva does not solve the same problem as the present invention. The present invention aims to, *inter alia*, improve the problem of idle handoff when switching between two communication systems. The mobile device does not have to be moving. (*See, Specification; Page 2, lines 7-Page 3, line 20*). In contrast, Kanerva is targeted at improving the handoff from one base station to the next, in a single communication mode, when the mobile device is moving from the range of one base station into the range of next base station. (*See, Kanerve; Fig. 2 and 4a*).

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In light of the foregoing, Applicant respectfully submits that Kanerva being of non-analogous structure, and directed at solving a different problem, cannot be properly combine with the applied Moles reference to obtain the features recited in amended independent claim 1.

The ancillary Soderbacka reference is not seen to remedy the deficiencies of Moles and Kanerva. Accordingly, amended independent claim 1 is believed to be in condition for allowance and such allowance is respectfully requested.

Moreover, Applicant respectfully requests that independent claim 5 is also allowable for the least the same reasons as those discussed in connection with amended independent Claim 1.

Dependent claims 2, 3, and 4 depend from independent claims 1. Dependent claims 6, 7, and 8 depend from independent claim 5. The above dependent claims are patentable for at least the same reasons as independent claims 1 and 5.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6700 to discuss the steps necessary for placing the application in condition for allowance.

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If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: May 11, 2006

By: 

Lawrence S. McClure
Registration No. 44,228
Attorney for Applicant(s)

500 South Grand Avenue, Suite 1900
Los Angeles, California 90071
Phone: 213-337-6700
Fax: 213-337-6701



Fig. 1

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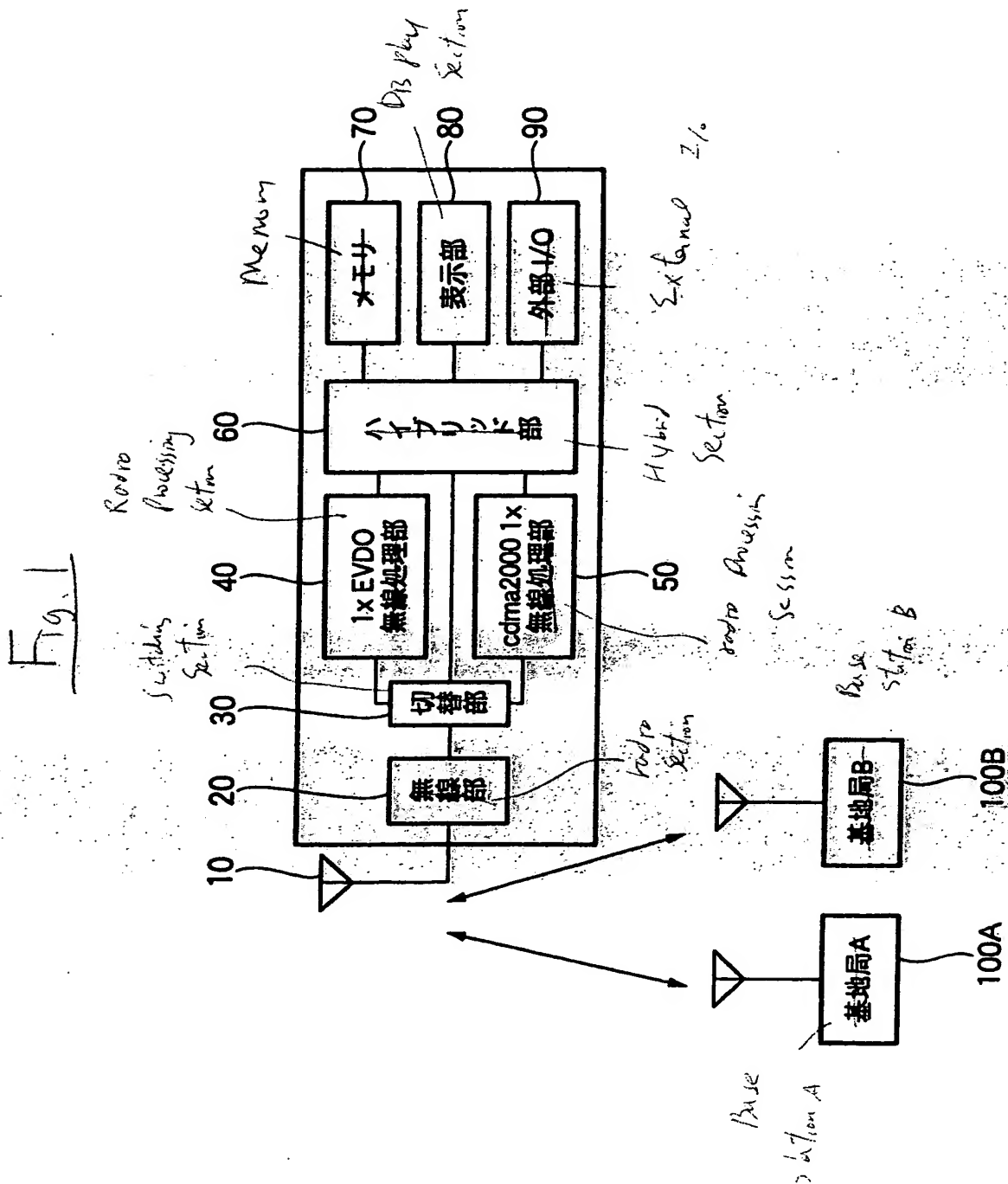
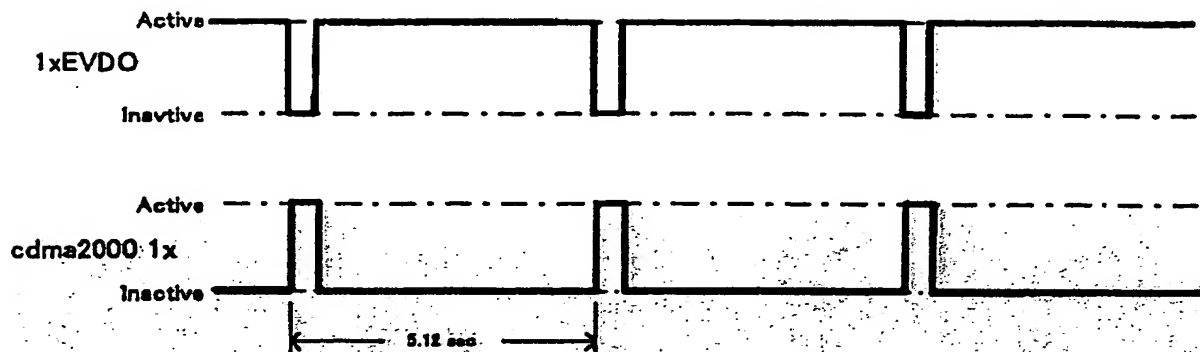


Fig. 2
~~Fig. 2~~

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Fig 2

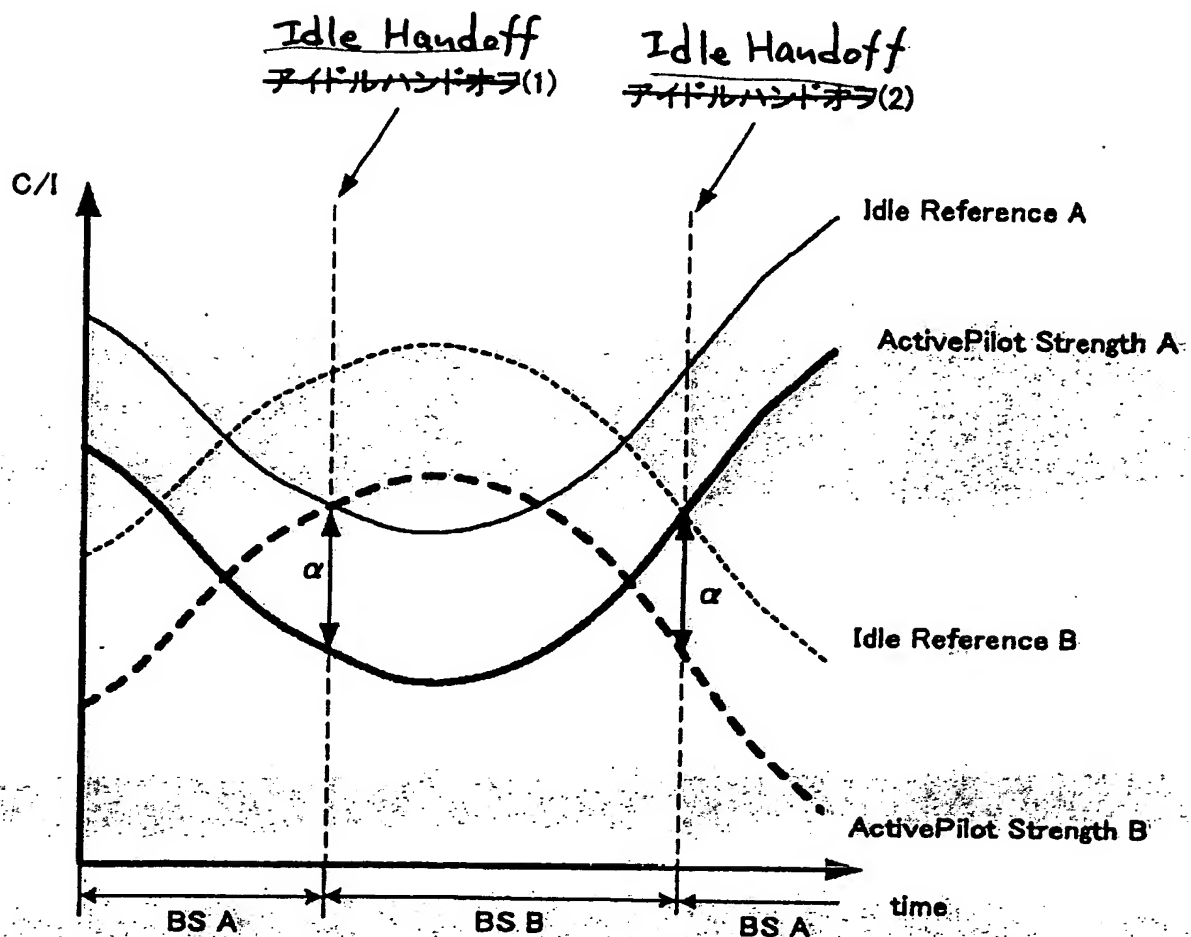


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Fig. 3

~~Fig. 3~~

Fig. 3



~~FIG. 4~~

Fig. 4A

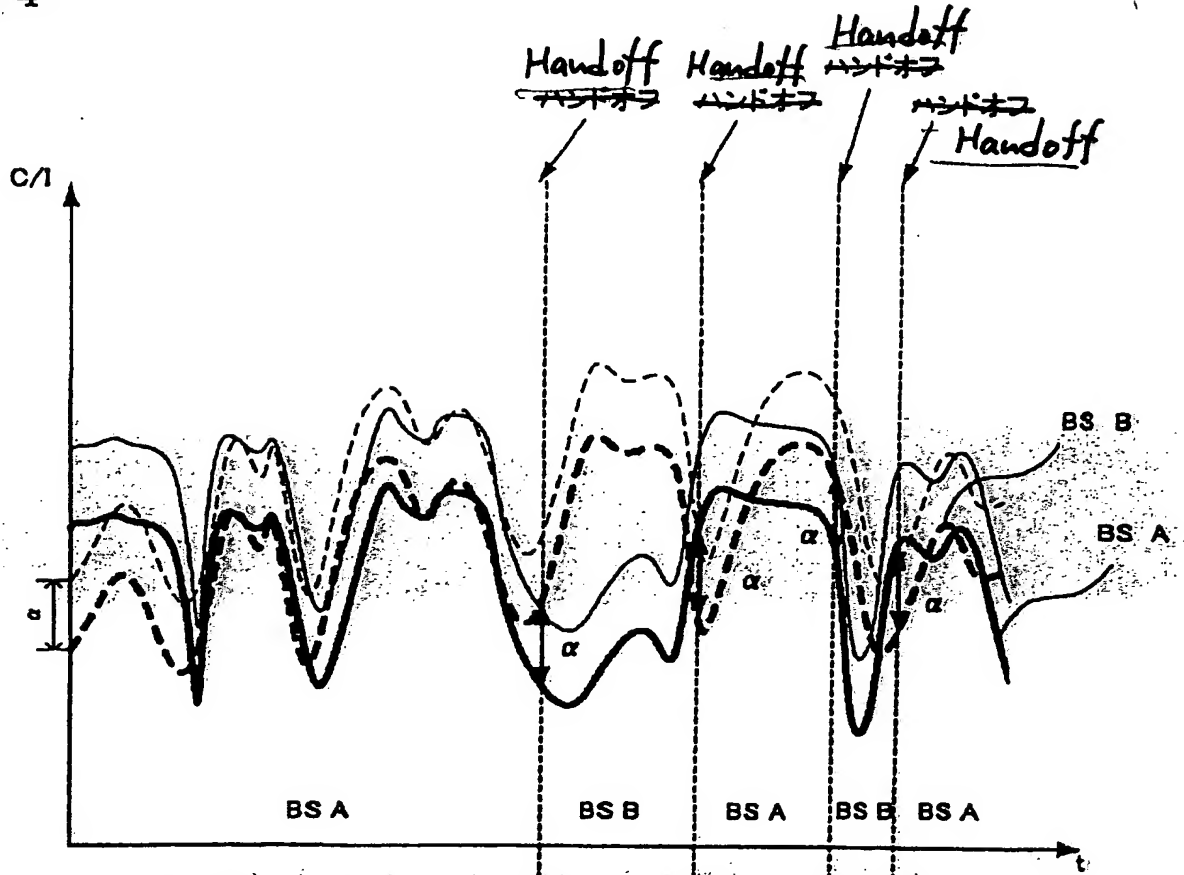


Fig. 4B

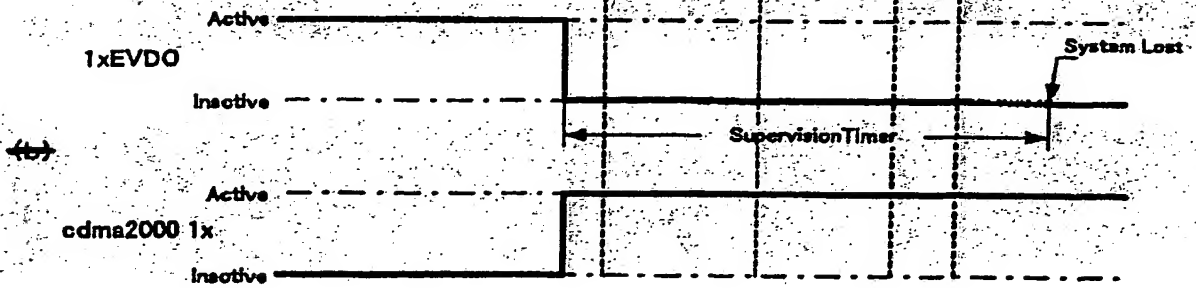
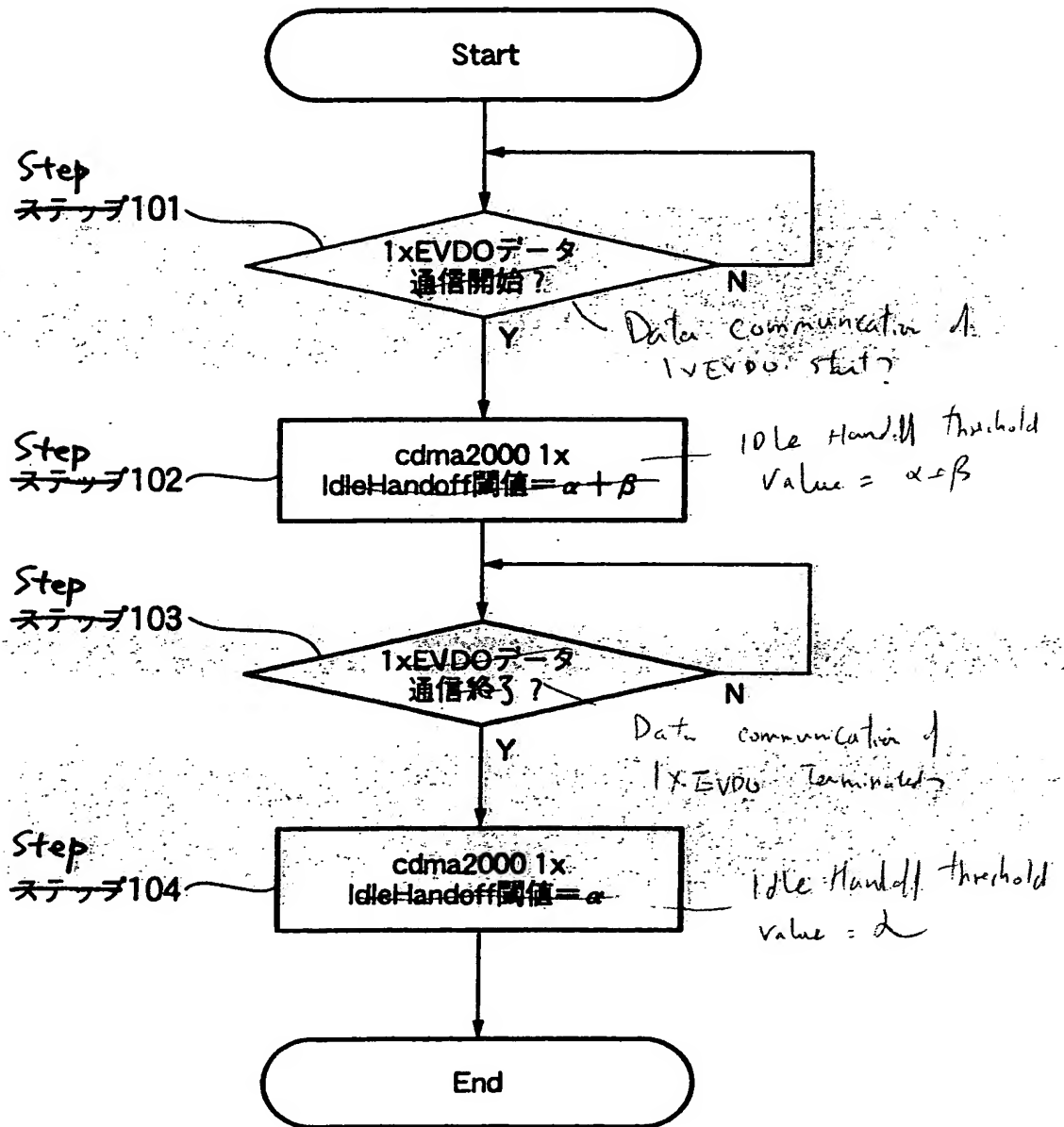


Fig. 5

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~~FIG. 6~~

Fig. 6A

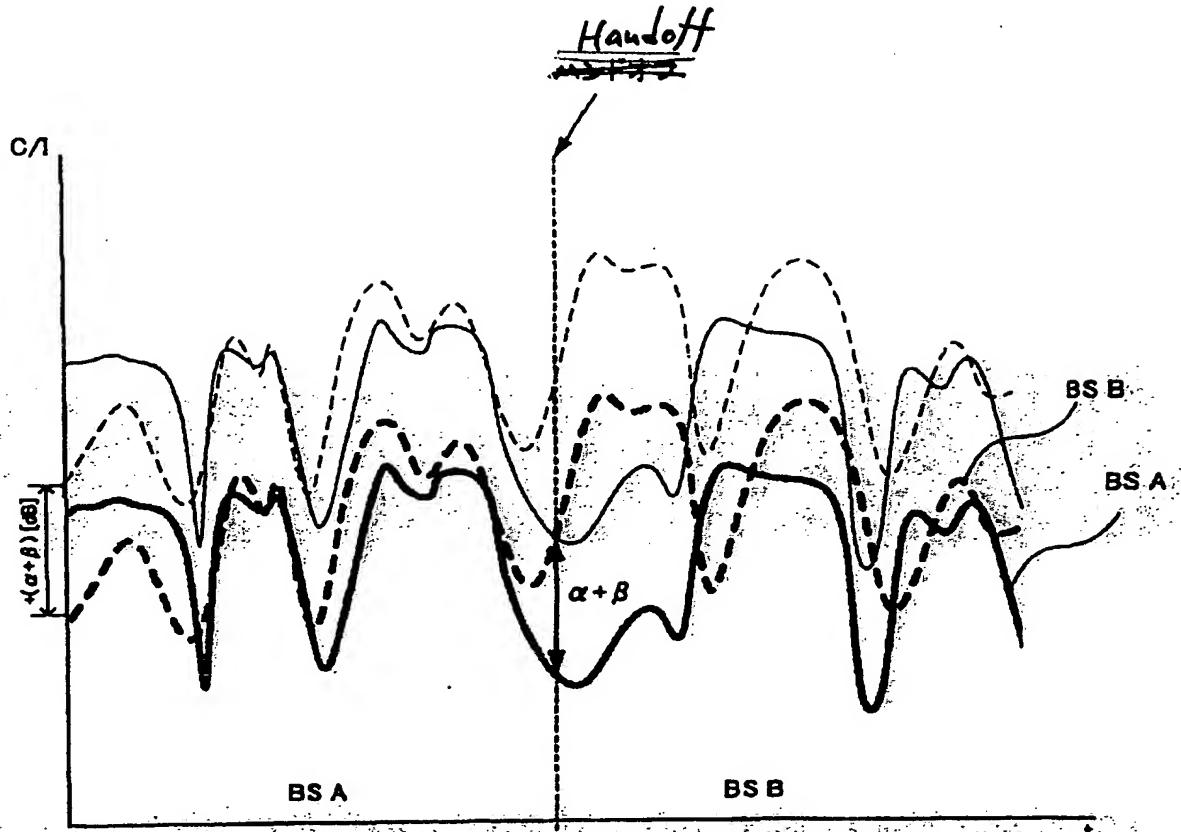


Fig. 6B

